

FIRST EVIDENCE IN THE DAVENPORT CASE

Attorneys for Defence Fighting Against Introduction of Note to Newsome.

JUDGE RESERVES HIS DECISION

Important Question Will Be Passed Upon Tomorrow Morning—Witnesses Say Thomas Started for Prisoner's House on Night of Murder.

Insurance Policy in Evidence.

A large part of the Commonwealth in the case of Andrew L. Davenport, accused of murdering Willie Thomas, was heard in the Corporation Court yesterday. Court adjourned at 5 o'clock in the afternoon, just after the attorneys finished arguing upon an objection by the defense to the admission of a note written by Davenport to J. T. Newsome, the colored attorney who is assisting in the prosecution, on the morning after the murder.

Judge Barham said that he would look over the authorities submitted and give his decision when court reconvenes tomorrow morning at 10 o'clock.

The jury was delivered into the custody of City Sergeant Milstead, whose duty it is to keep the jurors together and to see that they talk with no one concerning the case and do not read the newspaper accounts of the trial. The sergeant and his charges spent last night at the Lexington Hotel.

With the attorneys for the defense fighting strenuously against the admission of testimony and rigidly cross-examining the witnesses, the proceedings in court yesterday were slow and tiring. A lively contest over the most important point raised, resulted in a victory for the prosecution. Numerous exceptions were noted by the defense.

Panel Completed.

Four jurors were needed when court convened yesterday morning and it was after 11 o'clock before the panel was completed. Ten veniremen were examined before the four qualified. Then the attorneys for the defense struck the following names from the list: F. O. Adam, E. V. Gray, W. V. Green and E. T. Shewmake. This left the personnel of the which is trying Davenport for his life as follows:

Frederick Shawen, James Mortimer, S. P. Benthall, L. N. Forbes, H. W. Daughtrey, Harry Weaver, John Wiley, J. J. Baker, M. W. Dalby, W. A. Spruell, E. C. Gay and T. M. Bigger.

First Witness Examined

Police Officer W. W. Morrison, the first witness to take the stand, testified concerning the finding of the body of Willie Thomas on the night of January 29 near the corner of Twenty-ninth street and Orcutt avenue. He described the position of the corpse, which lay upon its back with derby hat on and one hand in overcoat pocket. The man evidently had fallen dead without a struggle. There were great gunshot wounds in the back and face. The officer then produced two notes, which he said had been found upon the breast of the dead negro in an envelope addressed "Special to the Police, Newport News, Va."

Notes in Evidence.

These notes were offered in evidence and admitted.

One note, written in ink with an apparent attempt to disguise the hand, read as follows:

"Special to the police. This man will not bother my woman no more." On the back of this was written "Jan'y. 1906 your Doom Willie Thomas, You can take a nother man Woman So die."

The second note, scrawled with a pencil upon a different kind of paper than the first, read:

"Yes I ment to kill him and his Lord A. L. Davenport and John Brooks also and Booker and the hole dam company of them if they don't stop."

Freshly Fired Shell.

Before leaving the stand Officer Morrison said that he picked up a freshly fired 12-bore shot gun shell within five feet of Thomas' body. He had given the shell to Chief Reynolds and therefore could not produce it. Chief Reynolds and all other witnesses in the case had previously been excluded upon Mr. Collier's motion.

Sergeant Mitchell.

Police Sergeant Mitchell, who went to the scene of the killing with Dr.

B. R. Gary, the coroner, upon being notified of the finding of the body by Officer Morrison, was the next witness. Referring to the notes found upon the dead man, the sergeant said that he supposed Davenport, who had been named by the murderer, could give him some information about the dead man, his habits, etc.

He went to Davenport's house at 3 o'clock in the morning, woke him up and after questioning him concerning Thomas, told him of the murder. Davenport seemed to be very much surprised and told him that Thomas was his cousin. In answer to questions Davenport said that he, Thomas and the other men named in the note had paid attention to Carrie Johnson. Upon Davenport's statements the sergeant arrested a negro named Sam Johnson, Carrie Johnson's husband, believing him to be the murderer.

The witness was prevented from telling what Sam Johnson did or said. Heard Shots Fired.

Mr. T. J. Christian, who lives near the scene of the murder, testified that he heard two shots in rapid succession about 9 o'clock on the night of the murder. One of the reports was loud and the other muffled.

Ida Ford, a negro woman, testified that Thomas was at her house on Twenty-fourth street about 7:30 o'clock on the night he was killed. He left the house, going toward Twenty-fifth street.

Commonwealth's Attorney Robinson asked whether or not Thomas said where he was going. Mr. Collier objected to the question and there followed an argument, during which the jury was excluded. Both sides submitted authorities. Judge Barham overruled the objection and the jury was brought back to the court room.

Left for Davenport's House.

The witness said that Thomas told her as he left the house that he was going down to see Davenport's new house; that he had promised Davenport faithfully to come. On cross-examination the defense brought out the fact that the witness was a married woman, had been separated from her husband for four years and had been receiving attention from Willie Thomas for about three years.

Mary Pickett, sister to Ida Ford, corroborated the latter's testimony. When this witness left the stand it was 1:30 o'clock and the court took a recess until 3 o'clock.

Dr. Gary on the Stand.

Dr. B. R. Gary, the coroner, was the first witness called when the court reconvened in the afternoon. He told of the finding of Thomas' body and explained the nature of the wounds. There was a wound in the back, evidently inflicted with a shot gun at close range. The shot passed through the left lung and entered the heart. In the body the doctor found three felt wads and a load of number 1 or number 2 shot. This apparently was the wound which caused death, which was instantaneous. Another wound, which apparently was inflicted upon a lifeless body, was also inflicted with a shot gun at close range. A load of small shot, about number 7, and three felt wads passed through the cheek and lodged in the throat. This wound would have caused instant death.

Sergeant O'Hara.

Detective Sergeant O'Hara testified that he had a conversation with Davenport about 8 o'clock on the morning after the murder. Davenport told him that Sam Johnson had killed Willie Thomas and said "We must put him out of the way as he wants to kill me, too."

The sergeant went to Davenport's house before noon of the same day and there found a dirk, some cartridges, papers, a pair of shoes and rubber boots. On a second visit he found in Davenport's bureau drawer a life insurance policy. The policy was offered in evidence after an objection from the defense had been overruled. The policy was issued by the Metropolitan Life Insurance Company for \$1,000 upon the life of Willie Thomas with his "uncle," Andrew L. Davenport, as the beneficiary. Sergeant O'Hara identified some letters written by the prisoner since his arrest. In the letters Davenport asked Rose Bagley and a Mrs. Solomon to testify that he was at "Mrs. Bob's" house on the night of January 29 from 7 to 9:30 o'clock.

Saw Davenport.

Rose Bagley, the negro girl who received one of the letters from Davenport, testified that she saw Davenport on the street on the night of the murder between 7 and 8 o'clock. Later she saw Davenport in his own door about 10 o'clock.

Bob Glen said he saw Davenport on the night of the murder. Davenport was at his house between 7 and 8 o'clock, came back after 8 and left before 9 o'clock. Glen lives on Oak avenue, about two blocks from the scene of the shooting.

Chief Reynolds.

Chief of Police Reynolds was the last witness to testify. The chief said that a note addressed to J. T. Newsome was handed to him during the day after Thomas was killed and

MUST DO SOME CUTTING

City's Finances in no Condition for Increased Expenses.

PROBLEM FOR THE COMMITTEES

Extra Appropriations Are Necessary

in Same Departments and Income

Will Not Be as Large Next Year

As it Was This.

Regular meetings of the finance and health committees of the city council are scheduled for tomorrow night and it is probable that there will be special meetings of several other committees.

The budget for the coming fiscal year is now in course of preparation and each department of the city government is preparing reports and recommendations to be sent to the finance committee.

There will be additional necessary expenses in some of the departments and, as the indications are that the city's income will be decreased rather than added to, some cutting down will have to be done some where.

Where expenses can be reduced is the difficult problem which the committees must solve.

Work on the budget will be done at the meeting of the finance committee tomorrow night.

It is expected that the sub-committee of the committee of the whole will have ready a report upon the first department situation in a few days. Whenever the report is ready Chairman Livezey will call a meeting of the committee of the whole to adopt a recommendation.

Social-Personal

Miss Blanche Webb entertained Friday evening at the home of her aunt, Mrs. T. F. Stearnes, in honor of Miss Cate, of Norfolk.

Mr. Harry P. Hammond left yesterday for Concord, N. H., where he was called by a telegram announcing the death of his mother.

Mrs. John Pigott left yesterday for her home in Bluefield, W. Va., after a visit to friends in this city.

Miss Annie Joo and little Alma Davidson have returned from New York and other Northern cities.

Miss May Leslie Harrison, of Plymouth, N. C., is the guest of relatives on Fifty-first street. Miss Harrison has many friends in this city and Portsmouth.

Miss Estelle Cheeky has returned from a business trip to New York and other Northern cities.

Mr. and Mrs. E. Marshall Newton, who have been the guests of Mrs. J. K. M. Newton on Thirty-third street, returned yesterday to their home in Fauquier county.

Entertainment Tuesday Night.

The musical and literary entertainment under the auspices of the East End Christian church, which was postponed from February 12 on account of the weather, will be given at Petzold's hall Tuesday evening at 8 o'clock.

COMMISSION IS SATISFIED.

Mr. Cooley Has Dropped Investigation of Stuart Case.

A letter has been received here from Civil Service Commissioner A. W. Cooley in which he states that differences between the commission and Collector of Customs J. E. B. Stuart have been adjusted. The investigation recently started has been dropped.

It is believed here that the action of Commissioner Cooley has no bearing upon the fight against Collector Stuart's confirmation. Naturally, however, Captain Stuart and his friends are somewhat elated over the position of the commission.

that he noticed a similarity between a flourish upon that note and the one found on the dead man. When he attempted to introduce this note in evidence Mr. Collier objected.

Both sides introduced authorities to support the argument which followed. The judge took the authorities, saying that he would look them over and give his decision Monday morning.

The large crowd that had filled the court room throughout the day seemed to leave with reluctance. Such interest in a case involving negroes has never before been manifested here.

Watt, Doxey & Watt. ONE PRICE STORE Watt, Doxey & Watt

EXCEPTIONAL OFFERING
Of Table Damask,
Table Cloths
and Napkins

Stylish
Shirtwaists
For
Spring

Bleached Table Damask

two yards wide, extra fine finish
polka dot pattern, special 58c
a yard

Double Satin Damask

Three pretty desirable patterns, two yards wide, a yd. 75c

Silver Bleach Damask

Extra heavy quality, soft finish, free from dressing, full width; a yard \$1
Napkins to match, a dozen \$2

Special Value

Large size brown Turkish Towels, rough finish, extra heavy quality, each 50c

Bleached Table Damask

Fancy centres, with hemstitched ends, 24x44 inches, each 50c

Cream Brilliantine Shirt Waists.

Tucked front, full sleeves, each \$2

New Arrival of Mohairs

For spring, dark navy, light navy, green and black, 36 inches wide, a yard 39c

Brilliantine

38 inches wide, black, cream and all the popular spring shades, a yard 50c

Dress Linen

A very fine white linen, medium weight, one yard 29c wide, a yard

Shrunk Linen

Suitable for waists and dresses, guaranteed not to shrink when washed; special value, a yard 75c

Linen Lawn

A yard wide, 29c, 50c, and 75c a yard.

LADIES' P. L. AND SOVEREIGN KID GLOVES, black, white and colors, a pair \$1

Point-de-Esprit Net Waist

Silk-lined, short sleeves, each \$3.50

Leather Hand Bags

Gilt or oxidized trimmings, leather lined, with purse inside, exceptional value; each \$1

White Canvas Hand Bags

Newest style, pretty purse inside; each \$1

Men's Underwear

The popular fleece-lined High Rock grade; now only, each 45c

Sanitary All-Wool Underwear

Superior quality, medium weight, each 89c

MUNSON UNION SUITS, size 3, 4 and 5, each

\$1.39

Men's Working Shirts

In blue and black, the popular Sweet Orr make, each 50c

Men's Half Hose

Special value; three pairs for 25c

White Mull Waist

Trimmed with rows of tucks and Val. Lace; extra value, each \$1

Watt, Doxey & Watt

2909 Washington Ave.,

Newport News, Va.

ALONG THE WATERFRONT

Cereal Export Figures Large Again Last Week.

UNUSUALLY BIG FLOUR SHIPMENTS

New Record for Present Year Established—Official Report Prepared at the Custom House—Vessels Coming and Going.

The shipment of grain from this port for the week ending yesterday rose to the normal, the total amount being 823,699 bushels. Flour exportations were larger than during any other week this year. According to the figures given by the custom house officials to the Daily Press last night the shipments were as follows:

Oats 464,509 bushels.
Corn 214,285 bushels.
Barley 144,905 bushels.
Flour 45,582 barrels.

The British steamer Brighton which arrived in this port on February 15, cleared yesterday for London with 260,000 bushels of oats as her cargo.

February 24th, 1906.

Arrived.

Steamer Grayfield (Br.), Tyson, New Orleans—To C. H. Arnel for bunker coal.

Steamer Powhatan, Ryan, Baltimore—To Merchants' & Miners' Transportation Co. with passengers and merchandise.

Steamer Howard, Chase, Boston—To Merchants' & Miners' Transportation Co. with passengers and merchandise.

Sailed.

Steamers: Hestia (Br.), Ferguson, Glasgow, Powhatan, Ryan, Providence; Howard, Chase, Baltimore; Princess Anne, Tapley, New York via Norfolk.

Schooner Paul Palmer, Risley, Boston.

Entered at Custom House.
Steamer Grayfield (Br.), New Orleans.
Cleared.
Steamer Brighton (Br.) Kragh, London; steamer Grayfield (Br.), Tyson, King's Lynn.

Calendar for This Day.
Sun rises 6:41 a. m.
Sun sets 5:56 p. m.

High water 10:41 a. m.; 11:05 p. m.
Low water 4:35 a. m.; 4:52 p. m.
Monday, February 26th.
Sun rises 6:40 a. m.
Sun sets 5:56 p. m.
High water 11:21 a. m.; 11:46 p. m.
Low water 5:15 a. m.; 5:39 p. m.

The Automaton will appear in Bohlken's window, 2609 Washington Avenue, Monday at 12 o'clock. Don't miss it.

1906 Spring Styles 1906

IN LADIES' AND GENTLEMEN'S

Low Quarters



OUR well known "Partrician" and John Cross low quarters are the first and most effective feminine footwear styles to be shown here this season, in Gun Metal Button Oxfords, Patent Blucher Oxfords and Patent Kid Oxfords, \$2.50, \$3.00, \$3.50.

Our famous Boyden and Manss "Urfit" Shoes for men in gun metal, calf and patent coil oxfords, button and lace.

\$3.50 to \$5.00

Fashion Shoe Store
J. H. BURCHER, MGR.

2907 Washington Avenue.